

IN THE UNITED DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

DONNA ROGERS AND
HOMER ROGERS

PLAINTIFF

VS.

CIVIL ACTION NO.3:06cv36-TSL-JCS

NATIONWIDE PROPERTY AND
CASUALTY INSURANCE COMPANY

DEFENDANT

FINAL JUDGMENT OF DISMISSAL WITH PREJUDICE

This cause came before the Court at the joint request of the Plaintiffs, Donna Rogers and Homer Rogers, and the only remaining Defendant, Nationwide Property and Casualty Insurance Company, for a judgment dismissing any and all of the Plaintiffs' claims against Defendant Nationwide Property and Casualty Insurance Company. The Court has been informed that any and all claims of the Plaintiffs, Donna Rogers and Homer Rogers, against the Defendant, Nationwide Property and Casualty Insurance Company, have been fully and finally compromised and settled by the payment to the Plaintiffs, Donna Rogers and Homer Rogers, of a sum of money satisfactory to them, and that there remain no issues, whatsoever, to be litigated as to the claims of Donna Rogers and/or Homer Rogers against the Defendant, Nationwide Property and Casualty Insurance Company, or any of the previous defendants in this cause, Larry Whitehead, The Nowell Agency or Stacy Beckwith.

All parties have consented to the entry of this Judgment and, as evidenced by the signatures below of the parties' respective counsel of record, agree that this cause should be dismissed with prejudice; and, being so advised, the Court finds that this cause should be dismissed with prejudice.

Pursuant to a Final Judgment of Dismissal of Defendants, Larry Whitehead, The Nowell Agency and Stacy Beckwith (“Final Judgment”), dated August 14, 2006, this Court dismissed with prejudice this cause and the claims of the Plaintiffs, Donna Rogers and Homer Rogers, as to Larry Whitehead, The Nowell Agency and Stacy Beckwith, all of whom were previously defendants in this cause. On or about August 16, 2006, Donna Rogers and Homer Rogers filed a Notice of Appeal appealing said Final Judgment, dated August 14, 2006, to the United States Court of Appeals for the Fifth Circuit, said appeal styled, “Donna Rogers and Homer Rogers vs. Larry Whitehead; The Nowell Agency; and Stacy Beckwith,” and bearing Cause No. 06-60909 on the docket of said Court. The Court has been informed that, pursuant to the terms of the above-referenced settlement, the Plaintiffs, Donna Rogers and Homer Rogers, shall file a Notice of Dismissal of Appeal with Prejudice with the United States Court of Appeals for the Fifth Circuit in Cause No. 06-60909 thereby dismissing any and all claims of the Plaintiffs, Donna Rogers and Homer Rogers, against the former defendants in this cause, Larry Whitehead, The Nowell Agency and Stacy Beckwith, with prejudice; and this cause should be and is hereby fully and finally dismissed with prejudice.

IT IS, THEREFORE, ORDERED AND ADJUDGED, that this cause should be and is hereby fully, finally and completely dismissed with prejudice with each party to bear their own respective costs.

SO ORDERED AND ADJUDGED, this the 16th day of January, 2007.

S/ TOM S. LEE
U.S. DISTRICT COURT JUDGE

AGREED AND CONSENTED TO:

/S/ WAYEN E. FERRELL, JR.

WAYEN E. FERRELL, JR., ESQ. (MSB #5182)

BETTIE RUTH JOHNSON, ESQ. (MSB #3106)

ATTORNEY FOR DONNA ROGERS AND
HOMER ROGERS

s/ F. KEITH BALL

F. KEITH BALL (MSB #8645)

ALLISON P. FRY (MSB #100725)

ATTORNEYS FOR NATIONWIDE PROPERTY AND
CASUALTY INSURANCE COMPANY;
LARRY WHITEHEAD; THE NOWELL AGENCY;
AND STACY BECKWITH